

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ernest Carter,

Civil No. 17-1061 (DWF/ECW)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Jany Rysh, Darin Haughland, Dr. Craane,
Katie Rueckert, Timothy Hiesterman, and
Minnesota Department of Corrections,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated April 25, 2019. (Doc. No. 140.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Elizabeth Cowan Wright's April 25, 2019 Report and Recommendation (Doc. No. [140]) is **ADOPTED**.
2. The Medical Defendants' Motion for Summary Judgment (Doc. No. [98]) is **GRANTED**.
3. Defendants Jan Rysh, Darin Haugland, and Dr. Craane are **DISMISSED WITH PREJUDICE** from this action.

4. Defendant Katie Rueckert is **DISMISSED WITHOUT PREJUDICE** from this action.

5. Plaintiff Ernest Carter's Motion to Compel Motion to Dismiss State Remedies Due to § 1983 (Doc. No. [96]) is **DENIED**.

6. Plaintiff Ernest Carter's Motion titled "Responded About Defendant Hearing Dates & Request Plaintiff Win Case Due To Not Responding To Court Order Due Date of 11-14-18" (Doc. No. [126]) is **DENIED WITHOUT PREJUDICE**.

Dated: May 15, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge